



NAPOLI
SHKOLNIK PLLC
ATTORNEYS AT LAW

April 20, 2017

Breaking Media, Inc.
Attn. John Lerner
611 Broadway
Suite 907 D
New York, New York 10012

Re: Infringement of Marie E. Napoli

Dear Mr. Lerner:

This firm represent client Marie Napoli, who is the copyright owner that was issued under the seal of the Copyright Office for the attached works. We have received evidence that you are infringing use of Marie Napoli's work. See the attached Certificates/Registrations. Marie Napoli is the owner of a federal copyright for the photographs/images. Marie Napoli intellectual property are extremely important and are a valuable asset of our client's. Accordingly, our client has instructed us to take the appropriate steps to protect its business interest.

It appears that you may have copied one or more photographic works from the internet. This copying is infringement of Marie Napoli's copyrights and violation of 17 U.S.C. § 501. Remedies available to our client include:

- an injunction against further infringement – such as an order preventing you from future use, copying, or distribution of the copyrighted works;
- impounding or destruction of infringing copies;
- Damages –statutory damages of up to \$150,000; and
- Costs and attorney's fees.

On behalf of our client, we demand that you do the following:

1. Immediately cease and desist marketing, manufacturing, distributing, selling and/or otherwise using such photographs; and
2. Immediately agree in writing that neither you nor any other person or entity acting on behalf of or in connection with the copywrited works will directly or indirectly engage in further unauthorized use of Marie E. Napoli's intellectual property; and
3. Immediately destroy all unauthorized items (e.g., digital images, dvds, recordings, pamphlets, products, etc.) which include the photographs that are in your possession, custody, or control; and
4. Immediately provide your cooperation to identify any and all parties that have any unauthorized items which include the photographs.

If I have not received your affirmative response from you by April 30, 2017, indicating that you have fully complied with these requirements, we will advise our client of all his legal remedies in connection with this matter.

Marie Napoli desires to resolve this matter amicably and assumes that you do as well. We are hopeful, therefore, that having been apprised of the foregoing, you will immediately choose at this time to agree voluntarily to our demands and avoid any unnecessary legal intervention.

We are sure that you understand that our proposal to resolve this matter without resorting to litigation is for settlement purposes only and without prejudice to any of Marie Napoli's rights, which are expressly reserved.

Thank you for your immediate attention to this matter.

Respectfully,
NAPOLI SHKOLNIK PLLC

Enclosures



NAPOLILAW.COM

360 LEXINGTON AVENUE, 11TH FLOOR NEW YORK, NY 10017 | (212) 397-1000

Registration #: *-APPLICATION-
Service Request #: 1-4257533211

Mail Certificate

Marie E Napoli
360 Lexington Avenue
360 Lexington Avenue
New York, NY 10017 United States

Priority: Special Handling

Application Date: December 15, 2016

Correspondent

Name: Marie E Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Registration Number

-APPLICATION-

Title _____

Title of Work: Marie Napoli -- BMF

Completion/Publication _____

Year of Completion: 2011

Author _____

• **Author:** Patrick McMullan
Author Created: photograph
Citizen of: United States
Domiciled in: United States

Copyright Claimant _____

Copyright Claimant: Marie Napoli
360 Lexington Avenue, 11th Floor, New York, NY, 10017, United States
Transfer statement: Purchase of image

Rights and Permissions _____

Name: Marie Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Certification _____

Name: Marie E Napoli
Date: December 15, 2016



Registration #: *-APPLICATION-
Service Request #: 1-4257642623

Mail Certificate

Marie E Napoli
360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Priority: Special Handling

Application Date: December 15, 2016

Correspondent

Name: Marie E Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Registration Number

-APPLICATION-

Title

Title of Work: Paul Napoli - - BMF

Completion/Publication

Year of Completion: 2011

Author

- **Author:** Patrick McMullan
Author Created: photograph
Citizen of: United States
Domiciled in: United States

Copyright Claimant

Copyright Claimant: Marie Napoli
360 Lexington Avenue, 11th Floor, New York, NY, 10017, United States
Transfer statement: Purchase of image

Rights and Permissions

Name: Marie Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Certification

Name: Marie E Napoli
Date: December 15, 2016



Registration #: *-APPLICATION-
Service Request #: 1-4257642687

Mail Certificate

Marie E Napoli
360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Priority: Special Handling

Application Date: December 15, 2016

Correspondent

Name: Marie E Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Registration Number

-APPLICATION-

Title _____

Title of Work: VD - case 1-4257642687

Completion/Publication _____

Year of Completion: 2012

Author _____

- **Author:** Evan Sung
Author Created: photograph
Domiciled in: United States

Copyright Claimant _____

Copyright Claimant: Marie Napoli
360 Lexington Avenue, 11th Floor, New York, NY, 10017, United States
Transfer statement: Purchase of image

Rights and Permissions _____

Name: Marie Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Certification _____

Name: Marie E Napoli
Date: December 15, 2016

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Kay Leigh Clayette

Acting United States Register of Copyrights and Director

Registration Number

VAu 1-262-045

Effective Date of Registration:

December 15, 2016

Title

Title of Work: VD - case 1-4257642687

Completion/Publication

Year of Completion: 2012

Author

- Author: Evan Sung
Author Created: photograph
Domiciled in: United States

Copyright Claimant

Copyright Claimant: Marie Napoli
360 Lexington Avenue, 11th Floor, New York, NY, 10017, United States
Transfer statement: By written agreement

Rights and Permissions

Name: Marie Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Certification

Name: Marie E Napoli
Date: December 15, 2016

Correspondence: Yes



Registration #: *-APPLICATION-
Service Request #: 1-4257642811

Mail Certificate

Marie E Napoli
360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Priority: Special Handling

Application Date: December 15, 2016

Correspondent

Name: Marie E Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Registration Number

-APPLICATION-

Title _____

Title of Work: Paul Napoli - case 1-4257642811

Completion/Publication _____

Year of Completion: 2014

Author _____

• **Author:** Marie E Napoli
Author Created: photograph
Citizen of: United States
Domiciled in: United States

Copyright Claimant _____

Copyright Claimant: Marie Napoli
360 Lexington Avenue, 11th Floor, New York, NY, 10017, United States
Transfer statement: Purchase of image

Rights and Permissions _____

Name: Marie Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Certification _____

Name: Marie E Napoli
Date: December 15, 2016

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Karen Lytle Clayton

Acting United States Register of Copyrights and Director

Registration Number

VAu 1-260-262

Effective Date of Registration:
December 15, 2016

Title

Title of Work: Paul Napoli - case 1-4257642811

Completion/Publication

Year of Completion: 2014

Author

• Author: Marie E Napoli
Author Created: photograph
Citizen of: United States
Domiciled in: United States

Copyright Claimant

Copyright Claimant: Marie Napoli
360 Lexington Avenue, 11th Floor, New York, NY, 10017, United States

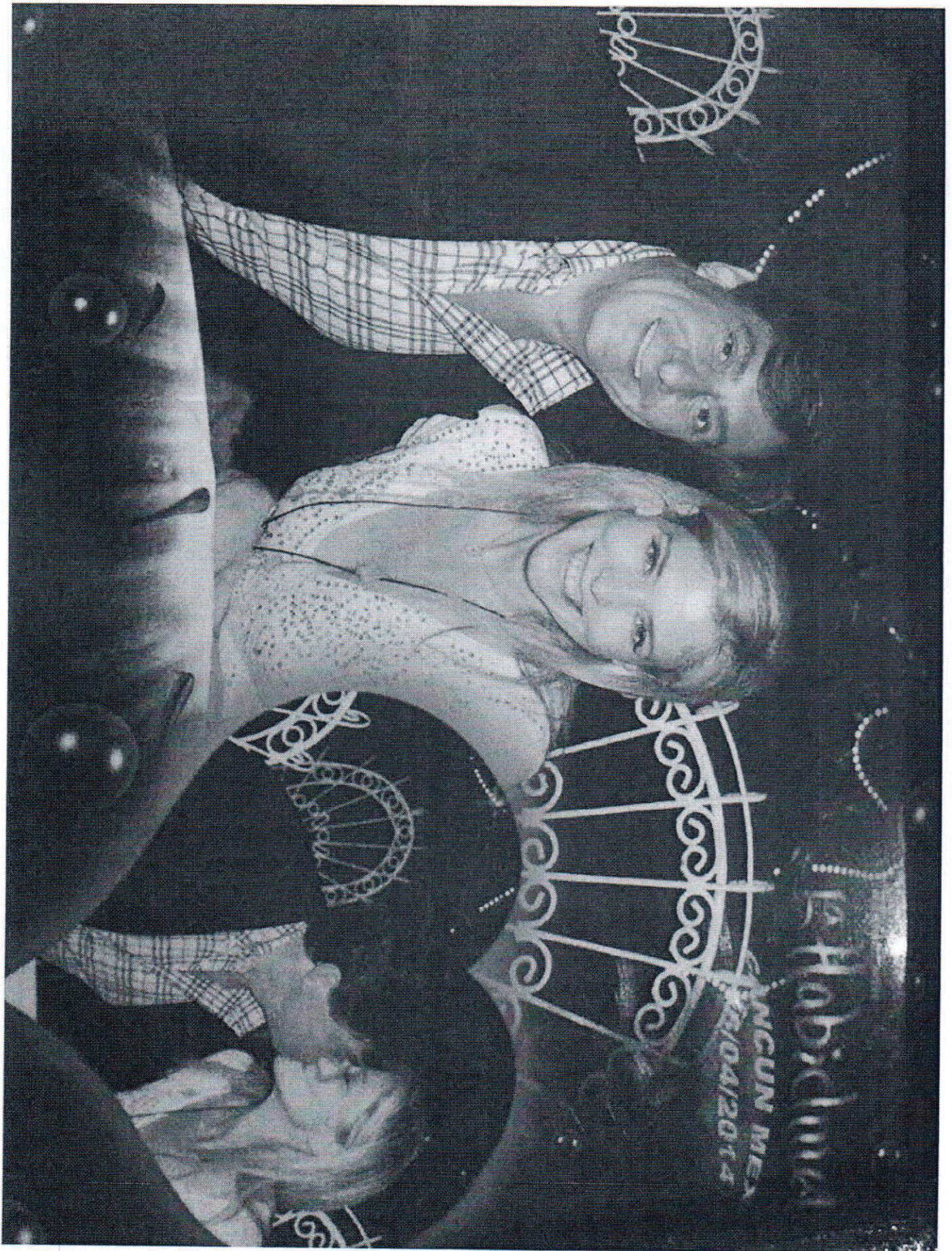
Rights and Permissions

Name: Marie Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Certification

Name: Marie E Napoli
Date: December 15, 2016

Correspondence: Yes





Registration #: *-APPLICATION-
Service Request #: 1-4274240962

Mail Certificate

Marie E Napoli
360 Lexington Avenue
11th Floor
New York, NY 10017 United States

Priority: Routine

Application Date: December 21, 2016

Correspondent

Name: Marie E Napoli
Email: mnapoli@napolilaw.com
Telephone: (212)397-1000
Address: 360 Lexington Avenue
11th Floor
New York, NY 10017 United States

